

### REMARKS

Claims 4 to 10 are pending in this application, of which claim 4, 7 and 9 are independent. Claim 1 to 3 were cancelled and replaced with corresponding claims 4 to 6. Favorable reconsideration and further examination are respectfully requested.

Applicants acknowledge the Examiner's indication that claims 2 and 3 would be allowable if rewritten in independent form to include the base claim and any intervening claims. Applicants have included the limitations of claims 1 and 2 in claim 7 and the limitations of claims 1 and 3 in claim 9.

Initially, claims 1 to 3 were rejected under §112, paragraph 2, as being indefinite. In particular, the Examiner alleges that "a peripheral line assembly" in claim 1 is unclear. Applicants have included in the new claims the term "line assembly" instead of a "peripheral line assembly" and further indicated that the second line assembly handles a communications stream. Applicants have further indicated in the specification that line assemblies handle signal streams (see, for example, page 1, line 7 to 12 of Applicants' specification).

The Examiner alleges that it is unclear how the peripheral line assemblies mutually monitor each other via connections or what type of connections are used in claim 1. Applicants have included in the new claims that monitoring is performed via a connection between the first line assembly and the second line assembly.

The Examiner alleges that the internal interface and the external interface are not clear. Applicants have included, in the claims, that the internal interface connects the second line assembly to a switching network and the external interface connects the second line assembly to

other switching networks. The Examiner also alleges that the external interface and the internal interface are not shown in the drawings. Applicants submit that examples of switching the external interface and the internal interface are represented by switching events  $S_1$  and  $S_2$ .

The Examiner alleges that it is unclear what a high ranking mechanism is. Applicants have indicated in the claim 4 that a device monitors the first line assembly, the second line assembly, the internal interface and the external interface.

The Examiner alleges that "an interface belonging to said switching network" in claim 3 is unclear. Applicants have indicated in claim 6 that a second connection connects the second line assembly to the switching network.

The Examiner alleges that there is no antecedent basis for the phrase "said switching network" in claim 3. Applicants have included proper antecedent basis in the new claims.

In view of the foregoing, Applicants respectfully requests removal of the § 112 rejections.

Turning to the prior art rejections, claim 1 was rejected under 35 U.S.C. § 103 as being obvious over Soga (U.S. Patent No. 6,021,111) in view of Shinbashi et al. (U.S. Patent No. 5,014, 261). Applicants address this rejection inasmuch as it applies to the new claims.

Claim 4 is directed to a method. The method includes monitoring a first line assembly using a second line assembly via a first connection connecting the first line assembly to the second line assembly and monitoring the second line assembly using the first line assembly through the first connection. The second line assembly connects to a switching network via an internal interface. The second line assembly connects to other switching networks via an external interface. The second line assembly handles a communication stream. The method also

includes monitoring the first line assembly, the second line assembly, the internal interface and the external interface with a device, detecting an outage of the second line assembly using the first line assembly, and after detecting the outage, sending a message from the first line assembly to a standby line assembly. The method further includes switching, using the standby line assembly, the internal interface and the external interface from the second line assembly to the standby line assembly and activating the standby line assembly to handle the communication stream.

The applied art is not understood to disclose or suggest the foregoing features of claim 4. In particular, Soga does not disclose or suggest switching, using the standby line assembly, the internal interface and the external interface from the second line assembly to the standby line assembly.

In this regard, Soga describes switching from one unit 12 to a spare unit 14. However, the switching from one unit 12 to the spare unit 14 is performed by the switching control unit 24 and not by the spare unit 14 (see column 5, lines 25 to 55 of Soga). The Examiner has even indicated that switching control unit 24 monitors all units to control switchover from a faulty unit to a spare unit (see page 4, line 8 to 10 of the Office Action). To the contrary, Applicants' invention as recited in claim 4 includes monitoring the first assembly line using the second assembly and switchover is controlled by the standby circuit assembly.

Moreover, Soga does not describe the internal interface connecting the second line assembly to the switching network or the external interface connecting the second line assembly to other switching networks much less switching the internal interface and the external interface

from the second line assembly to the standby line assembly. Therefore, Soga does not disclose or suggest switching, using the standby line assembly, the internal interface and the external interface from the second line assembly to the standby line assembly.

Shinbashi describes a 1-1 to 1-n network with each working unit 2b paired to a switch unit 5. In the event of failure of a work unit 2b, the corresponding switch unit 5 reroutes signals through a standby unit 3A (see FIG 4C and column 4, lines 56 to 68 of Shinbashi). Shinbashi does not describe using the standby unit 3A for switching. To the contrary, switch unit 5 is used for switching. Therefore, Shinbashi does not disclose or suggest switching, using the standby line assembly, the internal interface and the external interface from the second line assembly to the standby line assembly.

Accordingly, even if Soga and Shinbashi were combined, the resulting hypothetical combination would still fail to disclose or suggest switching, using the standby line assembly, the internal interface and the external interface from the second line assembly to the standby line assembly. For at least the foregoing reasons, Applicants request withdrawal of the art rejection.

Applicants submit that all dependent claims now depend directly or indirectly on allowable independent claims.

In view of the foregoing amendments and remarks, Applicants believe that the entire application is now in condition for allowance. Such action is respectfully requested at the Examiner's earliest convenience.

It is further believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or

Applicants : Jorg Kopp, et al.  
Serial No. : 09/673,533  
Filed : October 17, 2000  
Page : 11 of 11

Attorney's Docket No.: 12758-050US1  
Client Ref. No.: 1998P01538WOUS

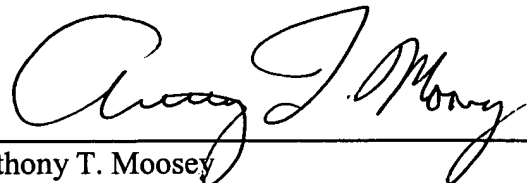
concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

The correspondence address for Applicants' attorney is shown below. Applicants' attorney may also be reached by telephone below.

Enclosed is a \$110 fee for the One-Month Extension of Time. No other fee is believed to be due for this Amendment; however, if any other fees are due, please apply such fees to Deposit Account No. 06-1050 referencing Attorney Docket 12758-050US1.

Respectfully submitted,

Date: 12 JULY 2004

  
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